IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No. 663 of 2004
In
Writ Petition No. 1539 of 1999

Housabai Haribhau Bahirat and Ors. .. Applicants
V/s.
The State of Maharashtra and Ors. .. Respondents

Mr. Y.S. Jahagirdar with Mr. G.S. Godbole for the Applicants

Ms. S.S. Bhende, AGP. for the Respondent Nos. 1 to 5

CORAM : DR. S. RADHAKRISHNAN &
SMT. V.K. TAHILRAMANI, JJ.
DATED : 01.12.2005.

P.C.:-

1. Heard the learned counsel for the Applicants, as well as the learned Additional Government Pleader for the Respondents. We have also perused the Division Bench judgment in First Appeal No. 709 of 1971, specially in paragraph no. 15 of the said judgment, wherein the Division Bench has clearly held that the land in dispute ceased to be an Inam land.

2. The learned Additional Government Pleader appearing on behalf of the Respondents also fairly states that the conditions imposed by the order dated 3.1.2004, specially condition no. 3 and other onerous conditions regarding non-transferability of the alternate land, treating the land as Gramjoshi Inam Land, treating the land as occupant class II and imposing other restrictions contained in Rule 15 of the Maharashtra Land Revenue (Disposal of Government Lands) Rules, 1971

shall stand withdrawn. The learned Additional Government Pleader only prays for four weeks time, so as to enable the Collector to delete those conditions in the said order. Accordingly, four weeks time is granted.

3. Civil Application is made absolute in terms of prayer clause (a).

(DR. S. RADHAKRISHNAN, J.)

(SMT. V.K. TAHILRAMANI, J.)